

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

District of

Delaware

WebXchange Inc.,

Plaintiff,

SUMMONS IN A CIVIL CASE

V.

Dell Inc.,

Defendant.

CASE NUMBER:

08-132

TO: (Name and address of Defendant)

Dell Inc.  
c/o Corporation Service Company  
2711 Centerville Road  
Suite 400  
Wilmington, DE 19808

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Jack B. Blumenfeld  
Morris, Nichols, Arsht & Tunnell LLP  
1201 North Market Street  
P.O. Box 1347  
Wilmington, DE 19899

an answer to the complaint which is served on you with this summons, within 20 (twenty) days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

PETER T. DALLEO

MAR 05 2008

CLERK

DATE

(By) DEPUTY CLERK

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## RETURN OF SERVICE

|  |                       |
|--|-----------------------|
| Service of the Summons and complaint was made by me <sup>(1)</sup> | DATE<br>March 6, 2008 |
| NAME OF SERVER (PRINT)<br><b>DAVID F DELGALLO</b>                  | TITLE<br>Messenger    |
| Check one box below to indicate appropriate method of service      |                       |

- ☐ Served personally upon the defendant. Place where served: \_\_\_\_\_
- ☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.  
Name of person with whom the summons and complaint were left: \_\_\_\_\_
- ☐ Returned unexecuted: \_\_\_\_\_
- ☒ Other (specify): By hand delivering a copy of the summons and complaint to Dell Inc.  
c/o The Corporation Service Company, 2711 Centerville Road,  
Suite 400, Wilmington, DE 19808

## STATEMENT OF SERVICE FEES

|        |          |       |
|--------|----------|-------|
| TRAVEL | SERVICES | TOTAL |
|--------|----------|-------|

## DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on 3-6-08  
Date

David F. Delgall  
Signature of Server  
800 King Street  
Suite 102  
Wilmington, DE 19801  
Address of Server

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.